

REMARKS

Claims 1-9 were presented for prosecution, claims 2-6 are rejected under 35 USC 112 first paragraph, as failing to comply with the enablement requirement; claims 1 and 9 are rejected under 35 USC 103(a) as being unpatentable over Rademacher (6,570,918) in view of El-Tarhuni et al. (6,201,828) and further in view of Widdowson (6,807,222); and claims 2 and 3 are rejected under 35 USC 103(a) as being unpatentable over Rademacher (6,570,918) in view of El-Tarhuni et al. (6,201,828) and further in view of Aue (2002/0051486). Claim 7 is rejected under 35 USC 103(a) as being unpatentable over Rademacher (6,570,918) in view of El-Tarhuni et al. (6,201,828) and further in view of Widdowson (6,807,222) and further in view of Bultan (2004/0057506). Claims 4-6 are indicated as containing allowable subject matter if the 35 USC 112 rejections are addressed and the claims are put in independent form. Similarly, claim 8 is indicated as containing allowable subject matter if put in independent form. Applicant gratefully appreciates the indication of allowable subject matter.

In the Outstanding Official Action, it is noted that proper declaration of what is claimed must be specified. Applicant respectfully submits that such a declaration was made in the previous amendment.

Applicant has herein amended claims 2-6 to address the 35 USC 112 first paragraph rejections. Claim 1 has also been amended. No new matter is believed added.

Applicant respectfully submits that all claims are allowable over the cited art. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP 706.02(j).

With regard to claim 1, Applicant respectfully submits that the prior art fails to teach or suggest all of the claim limitations. As amended, claim 1 recites "means for generating a filtered pilot code that provides a multibit interpolation of a generated pilot code" and "means for correlating the delayed signal with the filtered pilot code." In the Office Action, the Examiners admits that neither Rademacher nor El-Tarhuni teach a filtered pilot code and instead relies in Widdowski. Applicant submits that Widdowski fails to teach such a filtering process. Instead, Widdowski teaches a notch filter that provides baseband filtering.

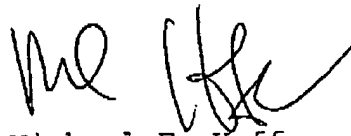
There is no suggestion or teaching in any of the references that provides a multibit interpolation.

Accordingly, Applicant submits that the application is in condition for allowance. Claims 2, 3, 7 and 9 are believed allowable for the reasons discussed herein as well as for their own additional limitations.

If the Examiner believes that anything further is necessary to place the application in condition for allowance, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

Dated: 12/16/05

  
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